

GEOFFREY A. HANSEN  
Acting Federal Public Defender  
NED SMOCK  
Assistant Federal Public Defender  
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Counsel for Defendant ANA LISSA REYES

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR-12-70810 MAG
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER RESETTING DATE FOR
vs.	)	PRELIMINARY HEARING
	)	
ANA LISSA REYES,	)	
	)	
Defendant.	)	
	)	

IT IS HEREBY STIPULATED between the plaintiff through its attorney, Wade Rhyne, and the defendant through her attorney Ned Smock, that the preliminary hearing in this matter now set for October 11, 2012 at 9:30 a.m. shall be reset for November 9, 2012 at 9:30 a.m. The parties are exploring possible resolution of the case. Ms. Reyes is out of custody. The government has provided disclosures of extensive reports and records, and anticipates producing additional records shortly that should assist the parties in discussing settlement. The defense will need time to review those records as the parties attempt to negotiate a pre-indictment resolution. Defendant Reyes and her counsel waive the provisions of Rule 5.1(c) of the Federal Rules of Criminal Procedure requiring a preliminary hearing to be held within 20 days of her initial appearance and 18 U.S.C. § 3161(b) requiring an indictment to be filed within thirty days from

1 the date of arrest. The continuance is also necessary to allow counsel for the defendant the  
2 reasonable time necessary for effective preparation, taking into account the exercise of due  
3 diligence. Accordingly, the parties further stipulate and agree that the time from October 11,  
4 2012 to November 9, 2012, should be excluded in accordance with the provisions of the Speedy  
5 Trial Act, 18 U.S.C. § 3161(7)(B)(iv).

6  
7 IT IS SO STIPULATED:

8 Dated: October 8, 2012

/s/ Ned Smock  
NED SMOCK  
Assistant Federal Public Defender

10  
11 Dated: October 8, 2012

/s/ Wade Rhyne  
WADE RHYNE  
Assistant United States Attorney

12  
13  
14 **ORDER**

15 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the preliminary  
16 hearing in this matter now scheduled for October 11, 2012 is hereby rescheduled for November  
17 9, 2012 at 9:30 a.m. and that time is excluded from October 11, 2012 to November 9, 2012  
18 pursuant to 18 U.S.C. § 3161(7)(B)(iv).

19  
20 Dated: October 10, 2012

  
HONORABLE KANDIS WESTMORE  
United States Magistrate Judge